

AMENDED IN SENATE AUGUST 21, 2013

AMENDED IN ASSEMBLY APRIL 24, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 865

Introduced by Assembly Member Eggman

February 21, 2013

An act to amend Sections 707, 736, and 770 of the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 865, as amended, Eggman. Yacht and Ship Brokers Act: licensing. Existing law requires the ~~Department~~ *Division* of Boating and Waterways to publish or cause to be published on or before July 1 of each year a directory of licensed brokers and salespersons and to charge and collect the fees prescribed by the Yacht and Ship Brokers Act in accordance with a specified schedule. Existing law authorizes the ~~department~~ *division* to make rules and regulations to carry out the provisions of the act.

This bill would require the ~~department~~ *division* to post the directory on its Internet Web site. The bill would require the ~~department~~ *division* to adopt regulations setting forth the fees to be charged and collected under the act for, among other things, exams, licensing, renewals, and other services provided by the ~~department~~ *division* under the act, *and would require the fees to be sufficient to reimburse the division for the reasonable costs of implementing the act.* The bill would require that those fees be charged and collected under the act until such time that the ~~department~~ *division* adopts those regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 707 of the Harbors and Navigation Code
2 is amended to read:
3 707. The ~~department~~ *division* shall publish or cause to be
4 published on or before July 1 of each year a directory of licensed
5 brokers and salespersons and shall post the directory on its Internet
6 Web site. The ~~department~~ *division* may publish such additional
7 information as it deems expedient and may also issue a periodical
8 bulletin concerning affairs arising under the administration of this
9 article.
10 SEC. 2. Section 736 of the Harbors and Navigation Code is
11 amended to read:
12 736. (a) The ~~department~~ *division* shall adopt regulations setting
13 forth the fees to be charged and collected under this article. *The*
14 *fees shall be sufficient to reimburse the division for the reasonable*
15 *costs of implementing this article.*
16 (b) A criminal records investigation fee shall be collected for
17 both a salesperson's and broker's license in an amount determined
18 by the Department of Justice, or by any other state or federal
19 custodian of criminal records from which the ~~department~~ *division*
20 has requested information concerning an applicant's criminal
21 record, not to exceed the amount needed to reimburse the
22 ~~department~~ *division* for conducting the criminal records
23 investigation.
24 (c) The following fees shall apply until such time that the
25 ~~department~~ *division* adopts regulations pursuant to subdivision (a):
26 (1) Two hundred dollars (\$200) for each original broker's
27 license.
28 (2) Seventy-five dollars (\$75) per year for the renewal of an
29 original broker's license.
30 (3) One hundred dollars (\$100) for each original salesperson's
31 license.
32 (4) Fifty dollars (\$50) per year for the renewal of an original
33 salesperson's license.
34 (5) Twenty-five dollars (\$25) for a salesperson's temporary
35 license.

1 (6) Twenty-five dollars (\$25) for each license obtained by a
2 broker for a branch office and for each renewal thereof.

3 (7) Ten dollars (\$10) for each transfer of a salesperson's license
4 for each change of employment.

5 (8) Ten dollars (\$10) for each duplicate license.

6 (9) Ten dollars (\$10) for each substitution of a name in the
7 license of a corporation or a partnership.

8 (10) Ten dollars (\$10) for the granting of each certificate of
9 convenience under Section 727.

10 (11) Twenty-five dollars (\$25) for each examination.

11 SEC. 3. Section 770 of the Harbors and Navigation Code is
12 amended to read:

13 770. The ~~department~~ *division* shall make rules and regulations
14 to carry out the provisions of this article, including adopting a
15 schedule to establish reasonable fees *that cover the division's cost*
16 for exams, licensing, renewals, and other services provided by the
17 ~~department~~ *division* under this article.